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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LUIS ROSALES, 91A3067,

Plaintiff,

-v-

DECISION AND ORDER
08-CV-6113L(Fe)

PAUL H. KIKENDALL, Assistant Commissioner;
DONALD SELSKY, Director Special Housing;
RYAN ENGLISH, Inmate Grievance Coordinator;
ROBERT A. KIRKPATRICK, Superintendent
M. KEARNEY, Captain;
KEN KIELISZEK, Inmate Grievance Supervisor;
L. HIGLEY, Inmate Grievance Sergeant;
Sergeant ANDRUSZ; BENSON, Correctional Officer;
STREIT, Correctional Officer and
J. KENNEDY, Commissioner Hearing Officer;

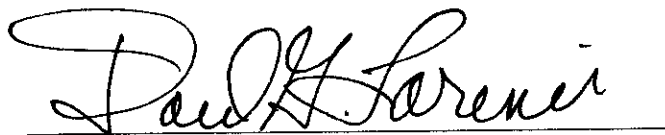
Defendants.

Plaintiff, who is incarcerated in the Wende Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "David G. Larimer", written over a horizontal line.

DAVID G. LARIMER
United States District Judge

DATED:

March 24, 2008
Rochester, New York